

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DONALD TURNBULL,

Plaintiff,

v.

JPMORGAN CHASE & CO.,

Defendant.

Case No. 21-cv-03217-JGK

**STIPULATION AND ~~PROPOSED~~ PROTECTIVE ORDER GOVERNING  
CONFIDENTIALITY OF PRIVILEGED ALLEGATIONS  
IN THE SECOND AMENDED COMPLAINT**

Pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, Rule 502 of the Federal Rules of Evidence, and the Court's April 7, 2022 Order (Dkt. 47), Plaintiff Donald Turnbull ("Turnbull") and Defendant JPMorgan Chase & Co. ("JPMorgan"), by and through their undersigned counsel, hereby stipulate and agree as follows:

1. JPMorgan has designated as "Privileged" the allegations set forth in Paragraphs 67 through 70 of the Second Amended Complaint (the "Privileged Allegations") regarding the alleged content of JPMorgan's October 7, 2019 interview of Turnbull (the "Privileged Interview") (jointly, the "Privileged Information"). Redaction and sealing of the Privileged Allegations, as expressly authorized by this Court's Orders dated April 6, 2022 (Dkt. 46) and April 7, 2022 (Dkt. 47), may be made without further application to the Court, and the parties agree that any filings summarizing or otherwise describing the substance of the Privileged Allegations or content of the Privileged Interview shall be filed under seal and otherwise kept confidential.

2. Pursuant to Federal Rule of Evidence 502(d), use or disclosure of Privileged Information in this litigation, whether inadvertent, unauthorized, or otherwise, including, but not limited to, disclosure of (i) the substance of the Privileged Allegations and (ii) the content of JPMorgan's Privileged Interview of Turnbull, shall not be deemed a waiver, in whole or in part, of the privilege or work-product or other applicable immunity, either as to the specific information disclosed or as to the same or related subject matter.

3. Nothing in this Stipulation and Protective Order shall preclude any party from moving the Court to modify this Stipulation and Protective Order to include additional safeguards to protect the confidential and/or privileged nature of other materials.

4. After the conclusion of this action, the provisions of this Stipulation and Protective Order shall continue to be binding until further order of this Court.

**MORGAN, LEWIS & BOCKIUS LLP**

**EMERY CELLI BRINCKERHOFF  
ABADY WARD & MAAZEL LLP**

By: /s/ Sarah E. Bouchard  
Sarah E. Bouchard (*pro hac vice*)  
MORGAN, LEWIS & BOCKIUS LLP  
1701 Market Street  
Philadelphia, Pennsylvania 19103  
Tel: (215) 963-5000

By: /s/ O. Andrew F. Wilson  
Richard Emery  
O. Andrew F. Wilson  
Emma L. Freeman  
600 Fifth Avenue, 10<sup>th</sup> Floor  
New York, NY 10020  
Tel: (212) 763-5000

Gina F. McGuire  
101 Park Avenue  
New York, New York 10178  
Tel: (212) 309-6000

*Attorneys for Defendant  
JPMorgan Chase & Co.*

*Attorneys for Plaintiff  
Donald Turnbull*

**SO ORDERED.**

Dated: 5/11/22

  
\_\_\_\_\_  
Hon. John G. Koeltl, U.S.D.J